

REMARKS

Applicants appreciate the Examiner's time and assistance during the telephone interview of January 31, 2012. Applicants are submitting this amendment in accordance with the discussion during this interview with the Examiner.

Claim Rejections – 35 USC 102/103

In the Office Action, the Examiner continues to reject Claims 1 and 17-35 under 35 USC §102(b) as anticipated, or in the alternative, under 35 USC §103(a) as obvious over Kido et al. (US 2003/0189401)). This rejection is respectfully traversed.

In the rejection, the Examiner quotes from the specification with respect to the definition of the term “a mixed layer” as defined in the specification. More specifically, in the specification, Applicants recite:

“It is to be noted that the mixed layer includes a layer in which an organic compound and an inorganic compound are mixed or a layer in which each of an organic compound and inorganic compound are thinly formed”. See paragraph [0083] in the publication of the present application (US 2007/0176161).

Hence, as explained during the interview, the specification includes two definitions of a mixed layer:

- (I) a **single** layer in which an organic compound and an inorganic compound are mixed;
- or
- (II) a **stack** of a layer including an organic compound and a layer including an inorganic compound.

It is Applicants' intention that the pending claims be directed to definition (I) above. In contrast, in the rejection, the Examiner is contending that the claimed mixed layer corresponds to

Kido's stack of a light-emitting unit and a carrier generation layer in combination (i.e. definition (II) above).

Therefore, while Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are amending independent Claims 1 and 17-19 to recite the feature of "a mixed layer in which an organic compound and a metal oxide are mixed," which is in accordance with definition (I) above. Hence, the claimed mixed layer is very different than the "stacked mixed layer" of Kido of thinly formed layers, one of an organic compound and one of an inorganic compound.

Accordingly, in light of the amended claim language for mixed layer above, Kido does not disclose or suggest the claimed feature of independent Claims 1 and 17 of "wherein the mixed layer included in one of the plurality of light emitting units is in *direct* contact with the first electrode" (anode in Claim 17, and similar feature in independent Claims 18 and 19), emphasis added.

In contrast, in Figs. 8 and 41 in Kido, there are light-emissive units (e.g. 3-1) between electrode 2 and charge generation layer (e.g. 4-1, the "mixed layer"). Hence, the "mixed layer 4-1" is not in direct contact with electrode 2. Therefore, this feature is not disclosed or suggested by Kido.

Therefore, independent Claims 1 and 17-19 are not disclosed or suggested by Kido, and Claims 1, 17-19 and those claims dependent thereon are patentable over Kido. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claim Rejections – 35 USC §103

The Examiner also rejects Claims 1 and 17-35 under 35 USC §103(a) as being unpatentable over Kido in view of Tsutsui (US 2003/0218166). This rejection is also respectfully traversed.

As explained above, Claims 1 and 17-35 are not disclosed or suggested by Kido.

In this rejection, the Examiner contends that “the electrodes applying voltage across the device [of Kido] are ‘carrier generating electrodes’” and that it would have been obvious to substitute the “carrier generating electrodes” of Tsutsui for those in Kido. Applicants believed that the “carrier generating electrodes” of Kido that the Examiner is referring to in the rejection is the “charge generation layer” (e.g. 4-1 in Fig. 8) in Kido. However, even if it were proper to substitute the “carrier generating electrode” of Tsutsui for the charge generation layer of Kido (which Applicants do not admit is proper), the combination still would not disclose or suggest the claimed feature of “wherein the mixed layer included in one of the plurality of light emitting units is in direct contact with the first electrode” of Claim 1 (or similar features in Claims 17-19), in light of the amended definition of “mixed layer” in the claims, as discussed above.

Therefore, independent Claims 1 and 17-19 are not disclosed or suggested by the cited references, and Claims 1, 17-19 and those claims dependent thereon are patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Information Disclosure Statement

Applicants filed an information disclosure statement (IDS) on November 16, 2011. It is respectfully requested that this IDS be entered and considered prior to the issuance of any further action on this application.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee should be due for this amendment, please charge our deposit account 23-0920.

Favorable reconsideration is earnestly solicited.

Date: February 3, 2012

Respectfully submitted,

/Mark J. Murphy/

Mark J. Murphy

Registration No. 34,225

Husch Blackwell LLP
120 South Riverside Plaza
Chicago, Illinois 60606
(312) 526-1533

Customer No. 24628